

**REMARKS**

Claims 1 and 4 - 9 are currently pending. Claims 5 - 6 have been canceled. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Entry of the present amendment is respectfully requested, as it is believed to place the application in allowance or in better position for appeal. Further, the present amendment does not raise new issues, as amended claim 1 includes the limitations of canceled claim 5, and new claim 10 recites the limitations of canceled claim 6 in independent form.

In the section entitled Response, the examiner asserted that sufficient written description such as related computer codes has not been provided for enabling one of ordinary art to practice the invention. The applicant disagrees with the examiner's assertion that disclosure of computer codes is necessary to enable one of ordinary skill in the art to practice the invention. Particularly, as discussed in MPEP 2164.06(c), reasonably detailed flowcharts which delineate the sequence of operations the program must perform, such as those shown in Figs. 3 - 4, can be sufficient for fulfilling the enablement requirements of 35 U.S.C. 112, first paragraph. See MPEP 2164.06(c), Eighth Edition, August 2001, Revised August 2006.

Claims 1, 4 and 7 - 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,320,495 to Sporgis in view of U.S. Pat. Pub. 2003/0225508 to Petzold *et al.* (hereafter: "Petzold"), and in view of U.S. Pat. No. 4,049,276 to Hole. The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claim 1 has been amended to include the limitations of now canceled claim 5. Particularly, amended claim 1 recites the novel embodiment disclosed, for example, on pgs. 12 - 14 of a navigation system-based game apparatus 1 including scoring means for scoring points

based on the determination performed by the arrival determining means and an arrival time at the guide point, and storing the score. The scoring means can be implemented by, for example, the control circuit 18 executing programs from the ROM and the external memory control device 19.

Sporgis discloses a treasure hunt game designed over a certain territorial area in which each player is equipped with a mobile wireless communication device 10 that incorporates a GPS receiver 11. However, as admitted by the examiner, Sporgis fails to teach or suggest scoring and storing points in the game. The examiner has cited Hole in order to cure the deficient teachings of Sporgis.

Hole discloses a game apparatus in which the objects are to: (1) arrive at your destination first; and (2) score the most points. Points are achieved by airmanship cards, decision cards and enroute cards. However, Holes fails to teach or suggest scoring points based on an arrival *time* at the guide point. Rather, Hole merely discloses deciding the winner based upon who arrives at the destination first.

The examiner has also cited Petzold without explaining how Petzold discloses the limitations of claim 1. Petzold discloses a route guidance unit. However, Petzold also fails to teach or suggest scoring points based on an arrival *time* at the guide point.

Therefore, because Sporgis, Hole and Petzold fail to teach or suggest a navigation system-based game apparatus 1 including scoring means for scoring points based on the determination performed by the arrival determining means and an arrival time at the guide point, and storing the score, it is respectfully requested that the rejection of claim 1, as amended, as well as dependent claims 4 and 7 - 9 under 35 U.S.C. 103(a) be withdrawn.

New claim 10 is presented for examination. As discussed above, new claim 10 recites the limitations of now canceled claim 6 in independent form. Particularly, claim 10 recites the

novel embodiment disclosed, for example, on pgs. 12 - 14 of a navigation system-based game apparatus 1 including scoring means for scoring points based on the determination performed by the arrival determining means, an arrival time at the guide point and a preset time limit, and storing the score.

As discussed above, Sporgis, Hole and Petzold fail to teach or suggest a navigation system-based game apparatus 1 including scoring means for scoring points based on the determination performed by the arrival determining means and an arrival time at the guide point, and storing the score. Sporgis, Hole and Petzold also fail to teach or suggest scoring means for scoring points based upon a preset time limit. Accordingly, new claim 10 should be in condition for allowance.

In view of the foregoing, the applicant submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,



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